

## Message Text

LIMITED OFFICIAL USE

PAGE 01 DACCA 00198 101020Z

12

ACTION L-02

INFO OCT-01 NEA-09 ISO-00 OPIC-03 EB-07 AID-05 TRSE-00

IGA-01 RSC-01 /029 W

----- 117033

P 101002Z JAN 75

FM AMEMBASSY DACCA

TO SECSTATE WASHDC PRIORITY 5417

LIMITED OFFICIAL USE DACCA 0198

E.O. 11652: N/A

TAGS: EINV, BG

SUBJECT: OPIC AGREEMENT

REF: A. STATE 283850 B. DACCA 5693 C. STATE 267958

1. EMBOFF MET WITH GOLAM MUSTAFA, SECRETARY, MINISTRY OF INDUSTRIES, TO OUTLINE OUR POSITION ON ARBITRATION PROVISION FOR BELBAGCO (REF A).

2. IN MARKED DEPARTURE FROM HIS POSITION IN PREVIOUS DISCUSSIONS, MUSTAFA INDICATED THAT BDG MAY BE WILLING TO INCLUDE ARBITRATION PROVISION IN BELBAGCO SIDE LETTER. MUSTAFA AGREED TO RECOMMEND BDG ACCEPTANCE OF FOLLOWING LANGUAGE FOR BELBAGCO SIDE LETTER:  
QUOTE:

I REFER TO OUR PAST DISCUSSIONS REGARDING THE OUTSTANDING CLAIM OF BELBAGCO INCORPORATED (BANGLADESH FABRICS LTD.) FOR COMPENSATION FOR ITS NATIONALIZED ASSETS.

"IN THE EVENT THAT THE OVERSEAS PRIVATE INVESTMENT CORPORATION (OPIC) SETTLES THE CLAIM OF BELBAGCO INC., THE GOVERNMENT OF BANGLADESH RECOGNIZES OPIC'S RIGHT OF SUBROGATION.

"AMOUNTS IN THE LAWFUL CURRENCY OF THE GOVERNMENT OF BANGLADESH ACQUIRED BY OPIC FROM THE GOVERNMENT OF BANGLADESH FOR COMPENSATION OF THE NATIONALIZED ASSETS OF BELBAGCO SHALL BE FREELY AVAILABLE TO THE UNITED STATES GOVERNMENT FOR ITS USE IN THE TERRITORY OF THE GOVERNMENT OF BANGLADESH.

"DIFFERENCES BETWEEN THE TWO GOVERNMENTS CONCERNING THE COM-  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 DACCA 00198 101020Z

PENSATION FOR THE NATIONALIZED ASSETS OF BELBAGCO SHALL BE

RESOLVED, INsofar AS POSSIBLE, THROUGH NEGOTIATIONS BETWEEN THE TWO GOVERNMENTS. IF SUCH A DIFFERENCE CANNOT BE RESOLVED WITHIN A PERIOD OF TWELVE MONTHS FOLLOWING THE REQUEST FOR SUCH NEGOTIATIONS IT SHALL BE SUBMITTED TO A MUTUALLY AGREED UPON ARBITRATOR WHOSE DECISION SHALL BE FINAL.

"I WOULD APPRECIATE YOUR CONFIRMATION THAT THIS IS ALSO THE UNDERSTANDING OF THE GOVERNMENT OF BANGLADESH. UNQUOTE.

3. MUSTAFA EMPHASIZED THAT BDG ACCEPTANCE OF AN ARBITRATION PROVISION WILL HAVE TO BE CLEARED WITH HIS MINISTER AND POSSIBLY WITH THE PRIME MINISTER. WE ARE ASKING FOR OPIC CLEARANCE OF THE LANGUAGE IN ADVANCE OF BDG APPROVAL IN AN ATTEMPT TO HAVE THE AGREEMENT READY FOR SIGNING DURING AID ADMINISTRATOR PARKER'S VISIT NEXT WEEK (JAN 14-18).  
BOSTER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FOREIGN INVESTMENT, AGREEMENTS, TRADE PROMOTION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 10 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975DACCA00198  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750010-0355  
**From:** DACCA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750163/aaaacdbh.tel  
**Line Count:** 76  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 283850, 75 DACCA 5693, 75 STATE 267958  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 AUG 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 AUG 2003 by izenbei0>; APPROVED <20 OCT 2003 by MorefiRH>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** OPIC AGREEMENT  
**TAGS:** EINV, BG  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006